1932.
(Prisons)

File No. 50-32
Serial Nos. 1-4

Previous References
Prs 31-28 Ss 13-15
" 31-28 " 10, 12
" 31-28 " 16-20
" 6-29 " 5-6
" 10-30 " 1, 2, 5, 9, 10.
Later References
" 10-30 " 7, 8, 11, 20, 22 etc.
" 33-29 " 1-4

General and Revenue Secretariat.

Serial Nos. 4

Part B for Feby 33.

SUBJECT.

Procedure to be adopted in the case of any prisoner who has violated the condition on which ~~his~~ sentence had been remitted by Government & who has gone away to reside permanently in British limits.

To.

- G. 5950-3 of 27.2.33.

The D.M. Tumkur.
The I.G. of Prisons.
The I.G. of Police
The Registrar High Court with a covering letter.

Directs that the remission granted to Ex-Convict Kavva of the Bangalore Central Jail be cancelled & he be rearrested when he enters the State & remanded to Jail for undergoing the unexpired portion of his sentence.

ıeral and Revenue Secretariat Pris File No. 52 of 1932

Serial No.

No 114 of 16/1 from D. [illegible]
Seeking instructions in the
matter of a person
who having violated the
condition of his release
from prison is staying
in Br. India.

1) The papers relating
to the remission of
sentence of the person in
question ~~have no~~ are not
in this Section.

2) He was probably released
on probation under the
rules relating to release
of long term prisoners.
If so the question must
have been dealt with
in the prisons Section.
This may perhaps be
referred to that Section

BLC
19/1

yes
[illegible] /1

3) Supdt. It has not been possible to trace the G.O. under which the prisoner in question was released on probation. Dft asking [illegible] to quote the G.O. is subd. As regards the procedure to be adopted

S
20/1

Violation of Conditional Release /

Prisons File No. 50 3015 of 193 2

General and Revenue
Secretariat

has been suggested in the Cable posted the Dept that the remission granted to prisoner has to be got cancelled by Govt the prisoner re-arrested when he [illegible] the State borders for undergoing unexpired portion of his sentence and Law Secretary may be consulted on the matter.

Previous file putup
9-

5) In the present case, the ex-convict has simply gone out of view without the permission of the D.M. This case is therefore analogous to the one dealt with in Prisons file No: 31-28 (10 & 12). All that is req: is that the D.M. should report the case to Govt. and apply for cancellation of the remission of sentence so that the prisoner may be remitted to Jail for undergoing the unexpired portion of the sentence from the date of his disappearance.

6) Please put up draft reply.
26.1.33

Draft subd for consideration.
A.S.

Violation of the condition of release
5 3374

General and Revenue Secretariat

Pris. File No.

193

[App. F. III—2

Serial No.	
2	To · the Dt. Magistrate, [illegible].

No. G. 5338 dt 31-1-1933'

States that in such cases remissions should be cancelled and the prisoner re-arrested if found in the State and requests to furnish the No. and date of the G.O. under which the present prisoner was released.

From the Dt Magistrate
[illegible].

No. J.C. 114/32-33. D. 8-2-33

States that the ex-prisoner Kasia [illegible] released on probation as per G.O. No. L 8844 of Prison 6–9/6 d 28-1-1930 and presumes that no action is to be taken at present until the ex-prisoner reenters the State.

Subd. The name of the ex-prisoner was wrongly reported as Kana in ~~letter~~ the letter of the Supdt of Police to the Dt Magistrate [illegible]. The correct name of the ex-prisoner Kania as reported now. The Dt Magistrate can only take action when the prisoner reenters the State only when he has the order of remission cancelled. [illegible] for. The Dt Magistrate is silent [illegible] in his orders.

1/2

The D.M. has not applied for the cancellation of the order of release. If the remission of the sente

4447832.

Violation of the Condition of Release 3374

201.

File No. 50 of 1932

General and Revenue
Secretariat

is cancelled, it may be possible to re-arrest the man if at any time he should enter the State.

For orders. Law section may perhaps be consulted whether it is nec: to wait till the man re-enters the State.

16.2.33

Chief Secy)

An order cancelling the remission has to be issued now. A draft may be put up & sent thro' U.S. Protn

17/2/33

Draft G.O. Subd.

17/2.

17.2.33

Chief Secy
thro'
Under Secy: Protection)

21/2/33

Whether a copy may not be sent to the Residency for information.

Copy appears not to be necessary

CHIEF SECRETARY
21 FEB. 1933

Second Member

23/2/33

23/2/33

23/2/33

23/2/33

Issued
24.2.33

6889

TYPING SECT.
24 FEB. 33

Serial No. 2

To

The District Magistrate, Trichur
" Inspector General of Prisons
" Registrar, High Court [illegible]
" The Inspector Genl of Police.
D. 5950-3 of 27-2-33

Directs that the remission granted to convict Kania of the B.C. jail be cancelled and he be rearrested when he enters the State and remanded to jail for undergoing the unexpired portion of his sentence.

No. J.C.114/32-33

Enc. one

FICE OF THE DISTRICT MAGISTRATE,
TUMKUR DISTRICT.

ed Tumkur, the 16th January 1933.

G M 3015

bdul Khader Esq., B.A.,
Offg. District Magistrate,
Tumkur District, Tumkur.

To

R. Ranga Rao Esq., B.A., B.L.,
Chief Secretary to the Government of Mysore,
xxxxxxxxxxxxxxxx Departmentx
Bangalore.

CHIEF SECRETARY,
18 JAN. 1933

C 18/1/33

IR,

In submitting herewith copy of letter No.I.C.4/31-32 date 1st June 1932 from the District Superintendent of Police, Tumkur, oliciting instructions with regard to the procedure to be adopted in he case of a person who has violated the condition on which the entence had been remitted by Government and who has gone away to eside permanently in British Limits, I have the honor to state that nder section 401(3) of the Criminal Procedure Code, it is the Government that has to cancel the remission of sentence when they are of opinion that the condition has not been fulfilled. In the case reported, the ex-convict has violated the condition viz., that he wil reside in the District of Tumkur. Violation of condition of remissio of punishment is an offence punishable under section 227 I.P.C., whic is a non-cognizable one. The ex-convict is now reported to be permanently residing in the Madras Presidency and the offence under section 227 I.P.C. is not one for which Extradition Warrant could be applied for. I therefore request ~~that~~ kind instructions xxxxx about the course to be adopted in such cases.

I have the honor to be,
Sir,
Your most obedient servant

Offg. District Magistrate,

192 .

From

To

Dated

Despatched

Received

General No.
No.

Enclosure No.

Letter No.I.C.4/31-32 dated 21-6-32 from the District Superintendent of Police, Tumkur, to the District Magistrate, Tum

-----

In inviting kind reference to your No.Gl.1304/31-32 dat 18-9-31 and further correspondence regarding one released convict No.7289 Kana of Arasikere Station limits of Pavagada Taluk, I hav the honor to state that this convict was originally employed in t Government Press, Bangalore, after release and subsequently chang his residence to Arasikere. A Probation Officer was appointed in the person of one Mallappa ~~was~~ of Pavagada Taluk. The convict wa bound over to be of good behaviour till 5-3-1930 and to reside ~~at~~ ~~not to leave his place without~~ within the limits of Tumkur Distri and not to leave his place without proper permission. But contra to the conditions of release this convict has left for British Limits and has permanently settled in Kumarnagenahalli of Anantha District Limits of Madaksira Taluk since 29-3-1931. I solicit kind instructions as to the course of action to be taken in the matter. He was convicted uhder section 302 I.P.C. in Sessions Ca No.9/20-21 and sentenced to transportation for life (Pavagada Kas Range Crime 10/20-21)

'COPY'

16.1.33. To District Magistrate

Appendix F G—1]

SUBJECT ....

....

....

Section Prison
File No. 50 · 32
Serial No. 2

Diary No. of letter replied to ....

No. G. 5338

To The Dt Magt

General and Revenue Secretariat

( )

the *193* .

ate of issue ...31/1/33.........

igned by Mr. M. Deva Rao....

With reference to your letter No. J. C. 116/32-33 dated the 16th Jan 1933 requesting instructions with regard to the procedure to be adopted in the case of an prisoner who has violated the ition on which ~~the~~ his sentence been remitted by Govt and has gone away to reside rmanently in British Limits, m directed to state that in such cases: a ~~report stating~~ ~~such~~ ~~with report the case~~ to Govt D M should move Govt for the ~~and apply for~~ Cancellation

o that the prisoner may be arrested by Jones in the
emitted to Jail for undergoing
he unexpired portion of the sentence
~~From the date of disappearance~~. In the present case
Information may also be
furnished as to the no. and date
of the Govt order under which
Said ~~ex~~ he prisoner ~~refd to~~ was
eleased on probation.

Chief Sec

30th January

The

The District Magistrate,
Tumkur District.

With reference to your letter No.J.C.114/32-3 ated the 16th January 1933 requesting instructions with egard to the procedure to be adopted in the case of an x-prisoner who has violated the condition on which his entence had been remitted by Government and who has gon way to reside permanently in British Limits, I am directed o state that in such cases District Magistrate should ove Government for the cancellation of the remission of entence so that the prisoner may be arrested if found in he State and remitted to jail for undergoing the unexpired ortion of the sentence.

In the present case information may also be urnished as to the numb nd date of the Government Order nder which the said ex- soner was released on probation.

I have the h
Sir,
Your most obed

With reference to your No.G.5338/Pris.50-32-2 d

January 1933, I have the hc tate that the ex-prisone

was released on probation as per Government Order No.G.8844

29-6 dated 28th January 1930. In the light of your letter

Pris.50-32-2 dated 31st January 1933, I presume that no ac

be taken just at present until the ^ prisoner re-enters the State.

I have the honor to be,

Sir,

Your most obedient

For District Magistrate,
JSK (Absent from station)
8/2/33 Tumkur District.

To

Dated

Despatched

Received

General No.
No.

Enclosure No.

G.R.S. App. F VI—G 2]

SUBJECT ....

....

Section Prisons

File No. 50-32

Serial No. 14

General and Revenue Secretariat

( )

the *193* .

Proceedings of the Government of
His Highness the Maharaja of Mysore.

Date of issue 27/2/33 193 .

Signed by M. N. D. Rao

May this be—

- (i) printed ?
- (ii) treated as a standing order ?
- (iii) published in the Gazette, English Part ?
- (iv) translated ?
- (v) placed at the disposal of the press ?
- (vi) published in the Gazette, Kannada Part ?

Read—G.O. No. G. 8844-6 Prison 6-29-6 dated the 28th Jany directing the release of prisoner No. 7289 Karia of the B.C. Jail subject to the condition he passes a period of probation equal to the unexpired portion of his sentence under the Dt Magistrate concerned or such other officer as the Dt Magte may appoint on this behalf. Correspondence ending in the letter No. JC 114/32.33 dated the 8th Feb 1933 from the

Order thereon.—No.

reporting that ex prisoner 7289 Kania of the B.C. Jail who was released on probation in the G.O. read above has violated the condition of release by having left for British limits and permanently settled in Kumarina jenahalli of the Anantapur Dt limits of Madakasira Taluk since 29.3.1931 and soliciting instructions as to the procedure adopted in the case.

Order No. G. 5950-3 ~~S~~/27.2.33

Under the powers vested in them ~~under~~ by Section 401 (3) Cr. P.C., Govt direct that the remission granted to Ex Convict 7289 Kania refd to in the G.O. read above be cancelled and he be rearrested (~~and remitted to the jail~~ when he enters the State borders and remanded to jail for undergoing the unexpired portion of his sentence.

By
Chief Sec

Ce
21/2/33

The Dt Magistrate Tumkur
The I.G. of Prisons
" Police
Regr H.C. [illegible] C.L.

17/2

List of Enclosure

Copied by [illegible] (3)
25/2/33

Examined by

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Read:-

Government Order No.G.8844-6/Prisons.6-29-6 dated the 28th January 1930 directing the release of prisoner No.7289 Karia of the Bangalore Central Jail subject to the condition that he passes a period of probation equal to the unexpired portion of his sentence under the District Magistrate concerned or such other officer as the District Magistrate may appoint on this behalf.

2. Correspondence ending with letter No.J.C.114/32-33 dated the 6th February 1933 from the District Magistrate, Tumkur, reporting that exprisoner 7289 Karia of the Bangalore Central Jail who was released on probation in the Government Order read above has violated the condition of release by having left for British limits and permanently settled in Kumaranagenahalli of the Anantapur District limits of Madakasira Taluk since 29th March 1931 and soliciting instructions as to the procedure adopted in the case.

Order No. G 5950-3/Pri 50-32-4

Dated Bangalore, the 27th February 1933

Under the powers vested in them by section 401 (3) Criminal Procedure Code, Government direct that the remission granted to Ex-convict 7289 Karia referred to in the Government Order read above be cancelled and he be rearrested when he enters the State and remanded to jail for undergoing the unexpired portion of his sentence.

K. Devadas
for Chief Secretary to Government.

To

The District Magistrate, Tumkur District.
The Inspector General of Prisons in Mysore.
The Inspector General of Police in Mysore.
The Registrar, High Court of Mysore with a covering letter.

B.K.M.5